



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#1710  
5/7/02

In re Application of:

Anstey et al.

: Group Art Unit: 1641

Serial No: 09/124,485

: Examiner: G.Gabel

Filed: July 29, 1998

For: A METHOD OF PROPHYLAXIS  
AND TREATMENT

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CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as EXPRESS MAIL in an envelope addressed to the Commissioner for Patents, Box RCE, Washington, D.C. 20231.	
Date 2 May 2002	B. Kroge B. Kroge
Express Mail Receipt No: EL 936 708 379 US	

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AMENDMENT

Commissioner for Patents  
BOX RCE  
Washington, D.C. 20231

Sir:

In response to the Advisory Action of February 4, 2002, Applicants respectfully submit a Request for Continued Examination and entry of this Amendment.

In the Claims:

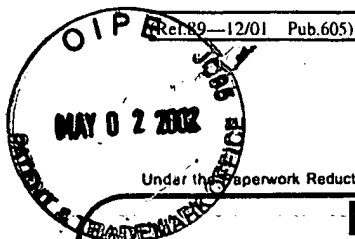
**Rewrite claim 38 as follows:**

38. (Once amended) A method for the prophylaxis or treatment of infection by a *Plasmodium* species in a mammal, said method comprising administering to said mammal by inhalation an NO modifying agent which kills, inhibits or otherwise retards the growth, infectivity or pathogenesis of the *Plasmodium* species.

41. (Once amended) A method according to claim 38 wherein the agent is NO.

05-03-02

RCE/1600



FORM 9-65

9-319

Ref. 89-12/01 Pub. 605

PTO/SB/30 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031  
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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

Application Number	09/124,485
Filing Date	July 29, 1998
First Named Inventor	Anstey
Art Unit	1641
Examiner Name	G. Gabel
Attorney Docket Number	73-97

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_  
 (Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) | 05/06/2002 AWDNDAF1 00000048 09124485
- iii. ☐ Other | 01 FC:279 370.00 DP
- b. ☒ Check in the amount of \$ 370.00 RCE fee enclosed and \$720.00 for 4-month extension
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Lorance L. Greenlee	Registration No. (Attorney/Agent)	27,894
Signature	<i>Lorance L. Greenlee</i>	Date	May 2, 2002

## CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print/Type)	B. Kroge	Date	May 2, 2002
Signature	<i>B. Kroge</i>		

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